IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

P.I.L. No. 24 of 2007

Milan Vasant Mhatre ..Petitioner

vs.

1. The state of Maharashtra
and others ..Respondents

Smt.Neeta P.Karnik for petitioner.
Shri P.M.Patil, A.G.P. for respondent no.1
Shri Shaturvedi i/b Chaturvedi and Associates for respondent no.2

CORAM: SWATANTER KUMAR C.J.
AND S.C.DHARMADHIKARI J.
27th June, 2007

P.C.

1. The learned Counsel appearing for respondent no.2 has stated that the vehicles in question were not purchased strictly in accordance with the relevant Govt. Rules. However, they were purchased on business principle of better performance and economics in terms of petrol consumption. He further states that the Corporation has taken a policy decision that in future they would act only in accordance with the Government Rules and no purchases would be effected contrary thereto.

2. The learned Counsel for the State states that State Govt. vide their letter dated 14th March, 2007 has already informed not only to the Corporation in question but to all other Corproation to cancel the Resolutions for purchasing of cars in the manner contrary to the State policy and the Rules for purchase of such cars. The

learned Counsel appearing for the State, however, makes a statement that they will look into the matter and fix the responsibility in accordance with the Rules. He also states that the Government will also examine the matter with regard to fixation of the upper limits for maintenance and repairs and lay down a procedure for sanctioning of the amount. It is also stated on behalf of the Corporation that it has already resolved to buy the Fire Engines, Ambulance and Hearst Vans keeping in view the public interest. It is also stated that a provision has been made in the current budget and immediately after sanction of the budget within one month such purchase would be effected.

3. In view of the statements made by the learned Counsel appearing for the parties, we do not think that any fruitful purpose would be achieved by keeping this petition pending or by issuing further directions in the matter. It is sufficient to note that the learned Counsel have spoken to the authorities and have assured the Court that the authorities would act in accordance with the rules and would not waste public money. The respondent State shall abide by the statement and complete the enquiry and fix the responsibility within six months from today. Writ petition is disposed of accordingly.

(CHIEF JUSTICE)

(S.C.DHARMADHIKARI J.)